

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

JAMES R. SZOKE, <i>et al.</i> ,)	CASE NO. 1:03CV1628
)	
Plaintiffs,)	
)	
vs.)	Judge Solomon Oliver, Jr.
)	
UNITED PARCEL SERVICE OF)	
AMERICA, INC., <i>et al.</i> ,)	
)	
Defendants.)	<u>ORDER</u>

Pursuant to the Memorandum of Opinion issued in the above-captioned case this date, the Defendants' Motion To Dismiss (Docket No. 35) is GRANTED IN PART and DENIED IN PART. The motion is granted, and the Amended Complaint is dismissed, as to Defendants UPS Retirement Plan, the Administrative Committee of the UPS Retirement Plan, the UPS Pension Plan, and the Board of Trustees of the UPS Pension Plan. The motion is DENIED as to Defendant United Parcel Service of America, Inc.

IT IS SO ORDERED.

Issued: September 26, 2006

s/ Solomon Oliver, Jr.
UNITED STATES DISTRICT JUDGE